

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

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IN RE EFFEXOR XR ANTITRUST  
LITIGATION

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THIS DOCUMENT RELATES TO:  
ALL CASES

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Master Docket No. 3:11-cv-05479 (PGS/LHG)

**PROPOSED AGENDA FOR THE FEBRUARY 4, 2020 STATUS CONFERENCE**

The parties in the above-captioned matter hereby submit this proposed agenda pursuant to this Court's directive to the parties dated November 6, 2019 (ECF No. 631).

1. *An Update on the Progress of Discovery.* Fact discovery closes June 18, 2020 under the Third Amended Scheduling Order (ECF No. 623). The parties are continuing to produce documents and continuing to meet and confer regarding the scope and adequacy of the document productions and regarding privilege claims, and may raise additional issues with the Special Master. The parties will work to schedule fact depositions in accordance with the Third Amended Scheduling Order. *Id.*
2. *The Status of the Effectiveness of the Special Master.* Special Master Lerner was appointed on July 10, 2019. ECF No 603. To date, Special Master Lerner has resolved several discovery motions. *See* ECF Nos. 581; 598; 609; 613; 617; and 619. There are currently two discovery motions pending. *See* ECF Nos. 576 (a joint letter regarding Teva's document production); and 624 (contested motion to seal).

3. ***Timeline and Procedure for Mediation and Settlement Discussions.*** The parties believe that mediation and settlement discussions would not be productive at this time but remain committed to keeping an open line of communication regarding this issue and will update the Court promptly if the parties' views change.
4. ***Administrative Issues.*** The parties are not aware of any administrative issues at this time.
5. ***Issues Concerning Professional Civility.*** The parties are not aware of any professional civility concerns at this time.
6. ***List of the Substantive Issues Requiring Decisions from the Court Prior to Trial and Timing of Adjudication Thereof.*** The Court will need to decide motions for class certification, which are currently due on November 19, 2020 under the Third Amended Scheduling Order entered by the Court on September 19, 2019 (ECF No. 623). *Daubert* motions related to class certification experts may be filed in conjunction with class certification. *Id.* The deadline for filing Rule 56 motions is March 19, 2021. *Id.* Class certification, *Daubert*, and Rule 56 motions will need to be adjudicated before trial.

In accordance with the court's November 6, 2019 letter (ECF No. 631), the parties may submit additional letters to the Court setting forth their respective views as to the Court's agenda for the February 4, 2020 status conference.